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**Petition For Revival Of An Application For Patent Abandoned
Unintentionally Under 37 CFR 1.137(b) (Large Entity)**

Docket No.
AVERY 66095

In The Application Of: **Norman Yamamoto et al.**

Serial No.	Filing Date	Examiner	Group Art Unit
09/881,134	June 14, 2001	Nguyen, K.	1774

Invention: **DRAWABLE AND WRITABLE PHOTO ALBUM**

RECEIVED

MAR 05 2004

OFFICE OF PETITIONS

Attention: Office of Petitions
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper response to a notice or action by the Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extension of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee--required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. ☒ A proposed reply to the above-identified notice or action:

☒ is enclosed. ☐ was filed on _____

The proposed reply is in the form of: Amendment

2. ☐ The issue fee:

☐ is enclosed. ☐ was paid on _____

3. ☒ The abandoned application was a:

☐ design application. ☒ utility application. ☐ plant application.

4. ☐ A terminal disclaimer (and fee) disclaiming a period equivalent to the period of abandonment is enclosed.

5. ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

03/04/2004 AWONDAF1 00000154 09881134

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Calculation and Payment of Fees

Enclosed are the following fees:

- | | |
|--|-----------------------------|
| 6. <input type="checkbox"/> Petition fee under 37 CFR 1.17(m) in the amount of: | <u>\$0.00</u> |
| 7. <input checked="" type="checkbox"/> Fee for amendment in the amount of: | <u>\$18.00</u> |
| 8. <input checked="" type="checkbox"/> Fee for extension of time to respond to Office Action in the amount of: | <u>\$950.00</u> |
| 9. <input type="checkbox"/> Issue fee in the amount of: | <u> </u> |
| 10. <input type="checkbox"/> Continuing application filing fee in the amount of: | <u> </u> |
| 11. <input type="checkbox"/> Terminal disclaimer fee in the amount of: | <u> </u> |
| 12. <input checked="" type="checkbox"/> Additional Fee for Petition for Revival | <u>\$380.00</u> |
| Total fees enclosed: | <u>\$1,348.00</u> |

The fee of **\$1,348** is to be paid as follows:

- ☒ A check in the amount of the fee is enclosed.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **06-2425**

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Statement

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.



Signature

Dated: **February 27, 2004**

**Scott R. Hansen, Reg. No. 38,486
FULWIDER PATTON LEE & UTECHT, LLP
Howard Hughes Center
6060 Center Drive, Tenth Floor
Los Angeles, CA 90045
Telephone: 310-824-5555
Facsimile: 310-824-9696
Customer No. 24201**

I certify that this document and fee is being deposited
on **02/27/2004** with the U.S. Postal Service as
first class mail under 37 C.F.R. 1.8 and is addressed to the
Mail Stop Petition, Commissioner for Patents, P.O. Box
1450, Alexandria, VA 22313-1450.



Signature of Person Mailing Correspondence

Scott R. Hansen

Typed or Printed Name of Person Mailing Correspondence

CC:

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND											
1 Date of Request: <u>3-15-04</u>		2 Serial/Patent # <u>09881134</u>									
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT							
	Filing			\$							
	Amendment			\$							
✓	Extension of Time	#10	3/2/04	\$ 950.00							
	Notice of Appeal/Appeal			\$							
	Petition			\$							
	Issue			\$							
	Cert of Correction/Terminal Disc.			\$							
	Maintenance			\$							
	Assignment			\$							
	Other			\$							
		7 TOTAL AMOUNT OF REFUND		\$ 950.00							
		8 TO BE REFUNDED BY:									
10 REASON:		Treasury Check									
	Overpayment	Credit Deposit A/C #:									
✓	Duplicate Payment	9 <table border="1" style="display: inline-table; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 20px;">0</td> <td style="width: 20px;">6</td> <td style="width: 20px;">--</td> <td style="width: 20px;">2</td> <td style="width: 20px;">4</td> <td style="width: 20px;">2</td> <td style="width: 20px;">5</td> </tr> </table>			0	6	--	2	4	2	5
0	6	--	2	4	2	5					
✓	No Fee Due (Explanation):										
EOT filed outside of maximum extendable timeframe.											
11 REFUND REQUESTED BY:											
TYPED/PRINTED NAME: <u>Liana Chase</u>		TITLE: <u>Paralegal</u>									
SIGNATURE: <u>Liana Chase</u>		PHONE: <u>306-8482</u>									
OFFICE: <u>Patent</u>											
***** THIS SPACE RESERVED FOR FINANCE USE ONLY: *****											
APPROVED: <u>Alicia Kelle</u>		DATE: <u>3/16/04</u>									

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to: